

REMARKS

1. Reconsideration in view of the amendments, and remarks herein is respectfully requested.

Applicant thanks the Examiner for the detailed review of the application and the resulting helpful suggestions in the Official Action.

2. Claims 39-42 are pending in the application. Claims 39-41 stand allowable and Claim 42 (second claim 41) stands objected due to misnumbering.

3. (Referring to Item 1 of the Official Action) The Drawing is objected to by the Examiner because reference number 174 is not described in the specification.

Applicant has added the reference number "174" to the specification in the paragraph at page 79, lines 1-11. The reference number was added at line 10, after the words "light detector" so that the paragraph now reads "light detector 174". It is submitted that the insertion at this point is obvious when the description contained in this paragraph is compared to the Drawing. Since the reference number has been added to the specification no amendment to the drawings is needed. The term "for" has been added after 174 to make the sentence grammatically correct. Accordingly the objection appears to be traversed.

4. (Referring to Item 2 of the Official Action) The disclosure stands objected to by the examiner.

A. On page 46, lines 6 and 16; page 48, lines 9 and 19; page 50, lines 7 and 17; page 52, line 6; and page 53, line 2, "hydrocarbon fluorocarbon"

is set forth in parentheses after alkyl.

Applicant hereby states that the term "(hydrocarbon fluorocarbon)" is the result of a typographical error. The correct term "(hydrocarbon or fluorocarbon)" is set forth at page 47, line 6; page 49, line 10; page 51, line 7; and page 53, line 20. The "or" term provides the definiteness needed. Applicant states that this applies to any other location where the same wording is used and the term has been amended throughout the specification. In addition, a search of the application has revealed several other places where the "or" was missing as at page 46, line 6. Applicant has referenced these above and included the changes as if they were within the Examiner's objections. Accordingly, it is respectfully submitted that the amendments traverse the objections.

B. On page 46, in lines 19 and 23; page 47, lines 9 and 21; page 48, lines 23 and 26; page 49, lines 13 and 25; page 50, lines 20 and 24; page 51, lines 10 and 22; page 53, line 5, 9, and 22; page 54, line 11; page 56, line 1; page 57, line 9; and page 59, line 4, R1 and R2 are not subscripted but when they are defined they are both subscripted. The examiner has required agreement between the two.

Applicant has amended the application by amending the affected paragraphs and subscripting the reference to R₁ and R₂. Applicant has noted several typographical errors with reference to line numbers in the objection and for the sake of clarity referenced the corrected lines above (see for example page 50).

In addition, a search of the application has revealed several other places where R₁ and R₂ are not properly subscripted. Applicant has referenced these above and included the changes as if they were within the Examiner's objections.

Accordingly, it is respectfully submitted that the amendments traverse the objections.

C. Applicant's use of "n" at page 46, line 23; page 47, lines 10 and 21;

page 48, line 26; page 49, lines 14 and 25; page 50, lines 21 and 24; page 51, lines 11 and 22; page 53, lines 6, 9, and 23; page 54, line 11; page 57, line 10; page 59, line 5; and page 69, line 2 stands objected to.

Applicant submits that "n" as used in the specification is well known by those of ordinary skill in the art. The use of "n" as an integer for showing additional atoms in a series is common usage in the art. Additionally, examples for "n" are provided at the same location. For example, at page 46, lines 19, 20 and 23 the use of C_nF_{2n+1} is immediately preceded by CF_3 where $n=1$, and C_2F_5 where $n=2$. This example is shown at all of the other places where "n" is used. Thus it is respectfully submitted that no further definition is required by those of ordinary skill in the art and this objection is therefore traversed. Further this part of the disclosure is not needed for the present claims.

D. Applicant's use of "if" at several places in the specification stands objected to including on page 47, lines 9-25; page 49, lines 13-28; page 51, lines 10-26; and page 53, line 22 through page 54, line 12.

Applicant's use of "if" was to provide alternative selections for primary and secondary acceptors. Page 47 is typical and can be used for general discussion. Four alternatives are provided at lines 14, 17, 20, and 23 using "wherein if" clauses. These are the only alternatives provided for A_1 and A_2 . For the embodiment shown on page 47, when one of these alternatives does not exist the present invention is not obtained.

Additional information regarding selection of substituted anilines is found at page 55, in Table 14 and the discussion on page 56 that ends at line 24. Applicant proposes the use of the affirmative term "when" as used at the immediately previous discussion of anilines at page 46, lines 21 and 23. This term is also used for substituted azobenzenes at page 48, lines 24 and 26; for substituted stilbenes at page 50, lines 22 and 24; and for substituted imines at page 53, lines 7 and 9. The use of "when" has antecedent and appears to provide the affirmative limitations required to overcome this objection. In addition,

selection language is used to indicate selection of appropriate radicals from primary or secondary acceptors as shown typically at page 47, lines 14, 17, 20, and 23. It is believed that this language is readily understandable by those of ordinary skill in the art as to the action to be taken. Accordingly it is respectfully submitted that the objection is traversed.

5. (Referring now to Items 4 and 5 of the Official Action) Claims 37 and 38 stand provisionally rejected under the judicially created doctrine of obviousness type double patenting over claims 27 and 28 of copending application No. 651,766.

Applicant has submitted a terminal disclaimer and the required fee to overcome this objection.

6. (Referring now to Item 6 of the Official Action). The Examiner has objected to the misnumbered claim (second claim 41).

The claim has been amended to now read "42". Accordingly it is respectfully submitted that this claim is now also allowable.

7. The applicant petitions for an extension of one month to reply to the Official Action. Since the time period for one month expired on a Sunday it is believed that the present submission is within the one month extension. The required fee for one month is submitted herewith.

In view of the above amendments, and remarks it appears that the application is in condition for allowance and favorable action thereon is requested. If the Examiner has some issues with the application, and has any suggestions as to how to address them, the Examiner is invited to call the Applicant's undersigned attorney at the phone number given below, so that those issues can be worked out.

Respectfully submitted,

A handwritten signature in black ink, reading "Klaus H. Wiesmann". The signature is written in a cursive, flowing style.

Registration No. 30,437

Phone (614) 424-6589

Fax (614) 424-3864

Email wiesmann@battelle.org

Klaus H. Wiesmann
BATTELLE MEMORIAL INSTITUTE
505 King Avenue
Columbus, Ohio 43201-2693
September 19, 2005

Customer No. 24116